

IN THE UNITED STATES DISTRICT COURT FOR THE

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MIDDLE DISTRICT OF ALABAMA

2007 JAN -9 A 9:40

AFFIDAVIT IN SUPPORT OF REQUEST TO PROCEED

IN FORMA PAUPERIS

VERA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

JAMES L. Boyington

Plaintiff(s)

2:07 CV 30-mht

v. C. D. I. CALDWELL

LEEPOSEY DANIELS, WARDEN, ET AL, STATE OF ALABAMA.

Defendant(s)

I, JAMES L. Boyington, being first duly sworn, depose and say that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief. I recognize that I may be prosecuted for any false statement which I may make herein.

I further swear that the responses which I have made to questions and instructions below are true.

1. Are you presently employed? Yes () No (*)

A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer. nil a

B. If the answer is NO, state the date of last employment and the amount of salary or wages per month, and give the name and address of your employer. JUNE, 2003
APPROXIMATELY \$800⁰⁰ PER MONTH

2. Have you received within the past twelve months any money from any of the following sources?

A. Business, profession, or form of self-employment? Yes () No (*)

B. Rent payments, interest, or dividends? Yes () No (*)

C. Pensions, annuities, or life insurance payments? Yes () No (*)

D. Gifts or inheritances? Yes () No (*)

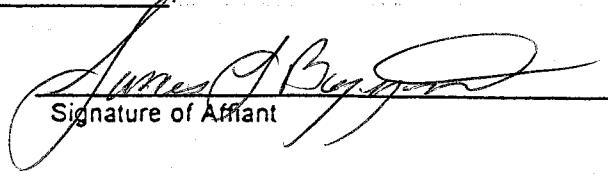
E. Any other sources? Yes () No (*)

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past twelve months. nil a

O R

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12-28-06
(date)


Signature of Affiant

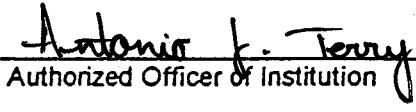
CERTIFICATE

I hereby certify that the plaintiff herein has the sum of \$ 20.94 on account to his credit at the MONTGOMERY PRE-RELEASE institution where he is confined. I further certify that plaintiff likewise has the following securities to his credit according to the records of said institution: _____

I further certify that he has had the average sum on account at this institution as of the first day of each month of the immediate preceding months [not to exceed six (6) months].

A. \$ _____ on the first day of _____
B. \$ _____ on the first day of _____
C. \$ _____ on the first day of _____
D. \$ _____ on the first day of _____
E. \$ _____ on the first day of _____
F. \$ _____ on the first day of _____

SEE ATTACHED DOCUMENT


Antonio F. Terry
Authorized Officer of Institution

Date: 01/03/2007

3. Do you own cash, or do you have money in a checking or savings account? [Include any funds in prison accounts]. Yes No

If the answer is YES, state the total value of the items owned. (20.94)

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property [excluding ordinary household furnishings and clothing]? Yes No

If the answer is YES, describe the property and state its approximate value. n/a

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support. n/a

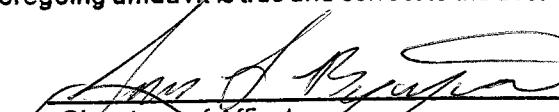

Signature of Affiant

STATE OF ALABAMA
COUNTY OF Montgomery)

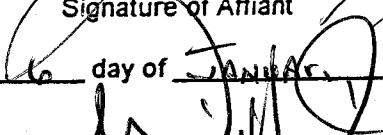
Before me, a Notary Public in and for said County, in said State, personally appeared _____

James L. Boyington, whose name is signed to the foregoing complaint, who being first duly sworn, deposes on oath and says:

That the information set forth in the foregoing affidavit is true and correct to the best of his knowledge and belief.


Signature of Affiant

Sworn to and subscribed before me on this 10 day of January, 2007.


NOTARY PUBLIC

Montgomery County, Alabama
My Commission Expires: 5/6/2010

STATE OF ALABAMA
 DEPARTMENT OF CORRECTIONS
 MONTGOMERY CBF

AIS #: 235843

NAME: BOYINGTON, JAMES L.

AS OF: 01/03/2007

MONTH	# OF DAYS	Avg Daily Balance	Monthly Deposits
JAN	28	\$0.00	\$0.00
FEB	28	\$0.00	\$0.00
MAR	31	\$0.00	\$0.00
APR	30	\$0.00	\$0.00
MAY	31	\$0.00	\$0.00
JUN	30	\$0.00	\$0.00
JUL	31	\$0.00	\$0.00
AUG	31	\$0.00	\$0.00
SEP	30	\$0.00	\$0.00
OCT	31	\$0.00	\$0.00
NOV	30	\$0.03	\$0.94
DEC	31	\$41.50	\$120.00
JAN	3	\$27.60	\$0.00

Antonio J. Terry